

"An Act to amend Special Laws, 1920, Thirty-sixth Legislature, Third Called Session, page 75, Chapter 30, Subdivision 8, known as 'Senate Bill No. 8,' so as to provide for three (3) local taxpayers to sit as a board of equalization, of which one shall be secretary of said equalization board, and shall fix a time for the meeting of such board of equalization, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

WOODUL, Vice-Chairman.

SIXTIETH DAY.

Senate Chamber,
Austin, Texas,
April 18, 1933.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor Edgar E. Witt.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Pace.
Blackert.	Parr.
Collie.	Patton.
Consins.	Poage.
DeBerry.	Purl.
Duggan.	Rawlings.
Fellbaum.	Redditt.
Greer.	Regan.
Holbrook.	Russek.
Hopkins.	Sanderford.
Hornsby.	Small.
Martin.	Stone.
Moore.	Woodruff.
Murphy.	Woodul.
Neal.	Woodward.
Oneal.	

Prayer by Dr. C. C. Selecman, President Southern Methodist University.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Woodward.

Committee Reports.

(See Appendix.)

Bills and Resolutions.

By unanimous consent, the rule relating to introduction of general bills after the first 52 days of the

session was suspended and consent was granted to introduce the following bills:

By Senator Purl:

S. B. No. 519, A bill to be entitled "An Act repealing Article 1024, Chapter 2, Title 15, Code of Criminal Procedure, and declaring an emergency."

Read and referred to Committee on Criminal Jurisprudence.

By Senators Purl, Beck, DeBerry, and Moore:

S. B. No. 520, A bill to be entitled "An Act amending Article 1025, Chapter 2, Title 15, Code of Criminal Procedure, so as to provide for the payment of fees by the State to county and district attorneys for representing the State in habeas corpus proceedings only when the applicant is charged with a capital offense, and declaring an emergency."

Read and referred to Committee on Criminal Jurisprudence.

Senate Simple Resolution No. 88.

Senator Poage sent up the following resolution:

Whereas, Senator Ben G. Oneal was sent as the representative of the Senate of Texas to the First Interstate Legislative Assembly which convened in Washington, D. C., February 3rd and 4th, and was thereafter by that assembly appointed as the member of the Interstate Commission on Conflicting Taxation to represent Texas and the Southwest on this Commission of fourteen members; and,

Whereas, Senator Oneal, at the request of the Senate of Texas, attended a meeting of the Interstate Commission on Conflicting Taxation in Chicago, at which meeting the Commission arrived at a decision on certain questions of conflicting taxation as between the several states and the Federal government to be recommended to the Congress; and,

Whereas, Senator Harrison, Chairman of the Finance Committee of the United States Senate, has set Friday, April 21st, as the date for the representatives of his committee to confer with the Interstate Commission on Conflicting Taxation, and that Commission is requesting that Senator Oneal attend this conference; and,

Whereas, The work of the Interstate Commission on Conflicting Taxation is of interest to the State of Texas; now, therefore, be it

Resolved by the Senate of Texas, That Senator Oneal be requested to attend this conference in Washington, D. C., on Friday and Saturday, April 21st and 22nd, and that he be excused from attendance upon the Senate during the period that he may be absent for the purpose of attending this conference.

POAGE,
SMALL.

Read and adopted.

Messages From the House.

Hall of the House of Representatives,
Austin, Texas, April 18, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following resolutions:

H. C. R. No. 67, Providing for a joint session of the House and Senate from 1:30 to 2:30 o'clock this afternoon to allow home demonstration clubs to present the work being done by them.

S. C. R. No. 42, Providing that State departments shall not purchase additional automobiles during the current biennium.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, April 18, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

H. B. No. 845, A bill to be entitled "An Act authorizing independent school districts to build or purchase buildings and grounds for the purpose of constructing gymnasias, stadia, or other recreational facilities, and to encumber the same and the income thereof to secure the payment of the purchase price to evidence the indebtedness created thereby by the issuance of bonds, notes, or other evidences of indebtedness; providing that the purchaser shall have a franchise to operate same in case of foreclosure; providing that such obligations shall never be a debt of such school district; provid-

ing that such projects shall be deemed self-liquidating in character; providing that repairs to such properties shall be a first lien; providing that the tolls, fees, and other charges made for the use thereof shall be at a rate sufficient to pay the current interest and provide the necessary sinking fund therefor; etc., and declaring an emergency."

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, April 18, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has refused to adopt the conference committee report on S. B. No. 262 by a vote of 115 yeas and 20 nays, has requested the appointment of a new conference committee and instructed the conferees of the House to adhere to the report of the minority of the old House conferees. The following are appointed on the part of the House as new conferees to consider further the differences between the two Houses:

Jones of Atascosa, Pope, Leonard, Engelhard, Scott.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

H. C. R. No. 67.

The Chair laid before the Senate:

H. C. R. No. 67, Providing for a joint session today from 1:30 to 2:30 o'clock p. m. to allow home demonstration and county agents to present their program of work.

The resolution was read.

The rule requiring resolutions to be referred before consideration was suspended by unanimous consent.

The resolution was adopted.

S. C. R. No. 38.

The Chair laid before the Senate:

S. C. R. No. 38, Relating to purchase of additional land by San Antonio State Hospital.

The committee report recommending that the resolution be not printed was adopted.

The resolution was read and adopted.

S. C. R. No. 43.

Senator Rawlings sent up the following resolution:

Whereas, The Senate of the Forty-third Legislature of Texas numbers among its employees Jack Edward Love, a young man of exceptional ability, pleasing manner, and engaging and cheerful personality; and

Whereas, Jack is a native Texan, is fourteen years of age, and now resides at 455 Saint Louis Avenue, Fort Worth, Texas; and

Whereas, This young man is ambitious to make for himself a place in the world of political affairs, and in this connection, is eminently fitted by disposition to fill a place in the capacity to which he aspires; and

Whereas, Many of the friends of Jack are anxious to assist him in attaining employment in the Congress of the United States; now, therefore, be it

Resolved by the Senate of Texas, the House of Representatives concurring, That the application of Jack Love for a position as page in the Congress be endorsed by the Forty-third Legislature of Texas; and

Be it further resolved, That a copy of this resolution be forwarded to the Texas delegation in Congress, with the request that its members assist Jack in locating such a position as he may be capable of filling with credit to himself and with honor to his State.

RAWLINGS,	PURL,
REGAN,	REDDITT,
MOORE,	RUSSEK,
BECK,	SANDERFORD,
BLACKERT,	GREER,
COLLIE,	HOLBROOK,
COUSINS,	HOPKINS,
DeBEERY,	HORNSBY,
DUGGAN,	MARTIN,
FELLBAUM,	MURPHY,
NEAL,	SMALL,
ONEAL,	STONE,
PACE,	WOODRUFF,
PARR,	WOODUL,
PATTON,	WOODWARD,
POAGE,	

The resolution was read.

The rule requiring resolutions to be referred before consideration was suspended by unanimous consent.

The resolution was adopted.

Free Conference Requested.

On motion of Senator Beck, the Senate refused to concur in the House amendments to S. B. No. 435 and requested the appointment of a Free Conference Committee.

Senate Bill No. 14.

Senator Hornsby asked unanimous consent to suspend the regular order of business and take up S. B. No. 14. Objection was heard.

Senate Bill No. 242.

Senator Greer inquired if S. B. No. 242, set as special order for Monday at 2 o'clock p. m., was not pending business.

The Chair, Lieutenant Governor Edgar E. Witt, held that inasmuch as other special orders set before S. B. No. 242 had not been disposed of, S. B. No. 242 would not be pending business in the regular order of business until the previously set special orders had been disposed of.

Senator Greer asked unanimous consent to suspend the regular order of business and take up S. B. No. 242.

Objection was heard.

Senator Greer moved to suspend the regular order of business and take up S. B. No. 242. The motion was lost by the following vote:

Yeas—14.

Collie.	Poage.
Cousins.	Purl.
Breer.	Rawlings.
Hornsby.	Redditt.
Moore.	Russek.
Murphy.	Woodruff.
Patton.	Woodward.

Nays—9.

Blackert.	Pace.
Fellbaum.	Parr.
Holbrook.	Sanderford.
Martin.	Woodul.
Neal.	

Present—Not Voting.

DeBerry.	Stone.
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Absent.

Beck.	Oneal.
Duggan.	Regan.
Hopkins.	Small.

(Two-thirds vote required).

Senate Bill No. 50.

The Chair laid before the Senate on second reading as special order the following bill:

By Senator Blackert:

S. B. No. 50, A bill to be entitled "An Act to amend Articles 6050, 6058, 6059, as amended, 6060, as amended, 6066, as amended, Revised Civil Statutes of Texas 1925, and by adding Articles 6058-a, and 6058-b, so as to more clearly define gas utility and to prohibit the raising of domestic and commercial rates in unincorporated towns and in incorporated towns of less than 500 population, and of rural subscribers without notice and hearing; to authorize the Railroad Commission of Texas to make appraisals and audits in incorporated towns and cities of 10,000 population or less; to authorize the Railroad Commission under certain conditions to aid cities of 10,000 population, or more, in making an appraisal of the properties and an audit of the accounts of the gas utility, or gas utilities, serving such cities; to provide for the necessary funds and organization in carrying out the provisions of this Act; providing that if any provision of this Act is declared invalid or unconstitutional that it shall not effect any other provision of this Act; and declaring an emergency."

Read second time.

Senator Purl raised the following point of order concerning S. B. No. 50:

This bill cannot be considered by the Senate because it seeks to raise a tax from gas companies of this State and is in direct conflict with Section 23, Article 3, of the Constitution of the State of Texas, which reads as follows:

"All bills for raising revenue shall originate in the House of Representatives, but the Senate may amend or reject them as other bills."

**Motion to Refuse Request for
New Conferees.**

Senator Poage moved that the Senate refuse to accede to the request of the House for the appointment of a new conference committee on S. B. No. 262. The motion prevailed.

On motion of Senator Oneal, the vote by which the Senate adopted the Free Conference Committee report was reconsidered and the conferees were instructed to continue their labors.

Resolution Signed.

The Chair, Lieutenant Governor Edgar E. Witt, gave notice of signing, and did sign, in the presence of the Senate, after its caption had been read, the following resolution:

S. C. R. No. 42.

House Bill Referred.

H. B. No. 845 referred to Committee on Educational Affairs.

Free Conference Report.

Senator Purl sent up the following Free Conference Committee report:

Committee Room,

Austin, Texas, April 18, 1933.

Hon. Edgar E. Witt, President of the Senate.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sirs: We, your Free Conference Committee appointed to adjust the differences between the two Houses on S. B. No. 85, have had same under consideration and beg leave to recommend that said bill do pass in form and text as submitted herewith.

PURL,
STONE,
BECK,
SMALL,
MOORE,

On part of the Senate.

YOUNG,
JONES of Atascosa,
BURNS,
GRAVES,
CATHEY,

On part of the House.

S. B. No. 85.

A BILL

To Be Entitled

An Act amending Article 1020, Title 15, Chapter 2, Code of Criminal Procedure, relating to fees to be paid by the State to officers in examining trials and inhibiting the paying of additional mileage to sheriffs and constables for subsequent arrests of the defendant in the same case, or in any other case in an examining court or in any

district court based upon the same charge or upon the same criminal act or growing out of the same criminal transaction, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Article 1020, Title 15, Chapter 2, Code of Criminal Procedure, be amended so as to hereafter read as follows:

Article 1020. In each case where a county judge or a justice of the peace shall sit as an examining court in a felony case, they shall be entitled to the same fees allowed by law for similar services in misdemeanor cases to justices of the peace, and ten cents for each one hundred words for writing down the testimony, to be paid by the State, not to exceed Three and no/100 (\$3.00) Dollars, for all his services in any one case.

Sheriffs and constables serving process and attending any examining court in the examination of any felony case, shall be entitled to such fees as are fixed by law for similar services in misdemeanor cases in county court to be paid by the State, not to exceed Four and no/100 (\$4.00) Dollars in any one case, and mileage actually and necessarily traveled in going to the place of arrest, and for conveying the prisoner or prisoners to jail as provided in Articles 1029 and 1030, Code of Criminal Procedure, as the facts may be, but no mileage whatever shall be paid for summoning or attaching witnesses in the county where case is pending. Provided no sheriff or constable shall receive from the State any additional mileage for any subsequent arrest of a defendant in the same case, or in any other case in an examining court or in any district court based upon the same charge or upon the same criminal act, or growing out of the same criminal transaction, whether the arrest is made with or without a warrant, or before or after indictment, and in no event shall he be allowed to duplicate his fees for mileage for making arrests, with or without warrant, or when two or more warrants of arrest or capiases are served or could have been served on the same defendant on any one day.

District and county attorneys, for attending and prosecuting any felony

case before an examining court, shall be entitled to a fee of Five and no/100 (\$5.00) Dollars, to be paid by the State for each case prosecuted by him before such court. Such fee shall not be paid except in cases where the testimony of the material witnesses to the transaction shall be reduced to writing, subscribed and sworn to by said witnesses; and provided further that such written testimony of all material witnesses to the transaction shall be delivered to the district clerk under seal, who shall deliver the same to the foreman of the grand jury and take his receipt therefor. Such foreman shall, on or before the adjournment of the grand jury, return the same to the clerk who shall receipt him and shall keep said testimony in the files of his office for a period of five years.

The fees mentioned in this article shall become due and payable only after the indictment of the defendant for an offense based upon or growing out of the charge filed in the examining court and upon an itemized account, sworn to by the officers claiming such fees, approved by the judge of the district court, and said county or district attorney shall present to the district judge the testimony transcribed in the examining trial, who shall examine the same and certify that he has done so and that he finds the testimony of one or more witnesses to be material; and provided further that a certificate from the district clerk, showing that the written testimony of the material witnesses has been filed with said district clerk, in accordance with the preceding paragraph, shall be attached to said account before such district or county attorney shall be entitled to a fee in any felony case for services performed before an examining court.

Only one fee shall be allowed to any officer mentioned herein for services rendered in an examining trial, though more than one defendant is joined in the complaint, or a severance is had. When defendants are proceeded against separately, who could have been proceeded against jointly, but one fee shall be allowed in all cases that could have been so joined. No more than one fee shall be allowed to any officer where more than one case is filed against the same defendant for

offenses growing out of the same criminal act or transaction. The account of the officer and the approval of the district judge must affirmatively show that the provisions of this article have been complied with.

Sec. 2. The fact that the interests of the peace officers and the State can best be served by the passage of this bill, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each House be and the same is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

Read and adopted by the following vote:

Yeas—31.

Beck.	Pace.
Blackert.	Parr.
Collie.	Patton.
Cousins.	Poage.
DeBerry.	Purl.
Duggan.	Rawlings.
Fellbaum.	Redditt.
Greer.	Regan.
Holbrook.	Russek.
Hopkins.	Sanderford.
Hornsby.	Small.
Martin.	Stone.
Moore.	Woodruff.
Murphy.	Woodul.
Neal.	Woodward
Oneal.	

Recess.

Senator Stone moved to recess until 1:25 o'clock p. m.

Senator Hopkins moved to recess until 10 o'clock tomorrow morning.

Senator Purl moved to adjourn until 10 o'clock tomorrow morning. The motion to adjourn was lost by the following vote:

Yeas—14.

Cousins.	Patton.
Duggan.	Poage.
Greer.	Purl.
Hornsby.	Rawlings.
Moore.	Russek.
Murphy.	Small.
Oneal.	Woodruff.

Nays—15.

Blackert.	DeBerry.
Collie.	Fellbaum.

Holbrook.	Regan.
Hopkins.	Sanderford.
Martin.	Stone.
Neal.	Woodul.
Parr.	Woodward
Redditt.	

Absent.

Beck.	Pace.
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Senator Woodruff moved to recess until 3 o'clock p. m. today.

The motion to recess until 10 o'clock tomorrow prevailed by the following vote:

Yeas—18.

Cousins.	Patton.
Duggan.	Poage.
Greer.	Rawlings.
Hopkins.	Regan.
Martin.	Russek.
Murphy.	Sanderford.
Neal.	Stone.
Oneal.	Woodul.
Pace.	Woodward

Nays—11.

Blackert.	Moore.
Collie.	Parr.
DeBerry.	Purl.
Fellbaum.	Redditt.
Holbrook.	Woodruff.
Hornsby.	

Absent.

Beck.	Small.
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At 12:11 o'clock p. m. the Senate recessed.

APPENDIX.

Committee on Enrolled Bills.

Committee Room,

Austin, Texas, April 18, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. C. R. No. 42, carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Reports.

Committee Room,

Austin, Texas, April 17, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Finance, to whom was re-referred

S. C. R. No. 38, Relating to purchase of additional land for the San Antonio State Hospital.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it be adopted and be not printed.

HOLBROOK, Chairman.

Committee Room,
Austin, Texas, April 18, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Agricultural Affairs, to whom was referred

H. B. No. 504, A bill to be entitled "An Act to regulate the quality of milk sold, or offered or exposed for sale, to prevent the sale of any milk from which anything has been extracted or to which anything has been added, except butterfat, and to prescribe a minimum butterfat content for milk which is herein defined; to provide that containers for milk shall truthfully state the minimum butterfat content; to provide that powdered milk shall only be sold in its dry state except as provided herein and providing for certain dealers license for sale of such products and fee for same, and requiring certain reports from such dealers; defining and prohibiting the sale of such filled milk; and providing penalties; defining certain terms and giving the Commissioner of Agriculture certain rights and authority for enforcement; making an appropriation for enforcement; providing that if any part of this Act shall be declared unconstitutional, it shall not affect the validity of the remainder, repealing all laws in conflict herewith, and declaring an emergency."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do not pass.

DeBERRY, Chairman.

Committee Room,
Austin, Texas, April 18, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Agricultural Affairs, to whom was referred

H. B. No. 319, A bill to be entitled "An Act prohibiting the buyer of baled cotton deducting from the

value thereof because of the weight of said bale as provided herein; and providing that no buyer shall be required to accept a bale of cotton weighing less than three hundred and fifty (350) pounds, and that any ginner ginning a bale of cotton weighing in excess of six hundred pounds may charge not more than one (\$1.00) for said bale in addition to his regular ginning charges; fixing a penalty for making deductions contrary to the provisions of this Act, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed, with committee amendment No. 1.

DeBERRY, Chairman.

Committee Amendment No. 1.

Amend H. B. No. 319 by striking out the second paragraph in Section 1 and amend the caption to conform with the body of the bill.

Committee Room,
Austin, Texas, April 18, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred

H. B. No. 799, A bill to be entitled "An Act to amend Article 1601, Chapter 5, Title 33, of the Revised Civil Statutes, of the State of Texas, 1925, as amended by Acts 1927, Fortieth Legislature, Regular Session, page 264, Chapter 185, so as to require all indebtedness against a courthouse or courthouses shall be paid in full before the county seat of any county can be moved from its present location; repealing all laws or parts of laws in conflict herewith; declaring a rule of construction, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and that it be printed.

FELLBAUM, Chairman.

Committee Room,
Austin, Texas, April 17, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred

H. J. R. No. 43, Proposing an amendment to Subsection (a), of Section 20, Article 16, of the Constitution of Texas, providing that vinous or malt liquors of not more than three and two-tenths per cent (3.2%) alcoholic content by weight shall not be prohibited by said section; providing that the amendment shall be self-enacting; authorizing the Legislature to provide other regulations; providing for the submission of such amendment to the voters; for the proclamation and publication thereof, and making an appropriation for the expenses of such election.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, with committee amendment, and be printed.

ONEAL, Chairman.

Committee Amendment.

Amend H. J. R. No. 43 by striking out all of lines 6 to 15, both inclusive, on page 2 in Subdivision A of Section 1 thereof, and insert in lieu thereof the following:

"And provided further that in all counties in the State of Texas and in all political subdivisions thereof, wherein the sale of intoxicating liquors had been prohibited by local option elections held under the laws of the State of Texas and in force at the time of the taking effect of Section 20, Article 16, of the Constitution of Texas, it shall continue to be unlawful to manufacture, sell, barter or exchange in any such county or in any such political subdivision thereof, any spirituous, vinous or malt liquors or medicated bitters, capable of producing intoxication or any other intoxicant whatsoever, unless and until a majority of the qualified voters in said county or political subdivision thereof voting in an election held for such purpose shall determine it to be lawful to manufacture, sell, barter and exchange in said county or political subdivision thereof vinous or malt liquors containing not more than three and two-tenths per cent (3.2%) alcoholic content by weight, and the provision of this subsection shall be self-enacting."

Committee Room,

Austin, Texas, April 18, 1933

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 329, A bill to be entitled, "An Act making appropriations to pay miscellaneous claims due by the State of Texas."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass and be not printed but that Committee Substitute for S. B. No. 329 do pass and be printed in lieu thereof.

HOLBROOK, Chairman.

C. S. S. B. No. 329.

A BILL

To Be Entitled

An Act making appropriations to pay miscellaneous claims against the State of Texas and authorizing payment of said miscellaneous claims upon the taking effect of this Act, providing as to how such claims shall be paid, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That the following sums of money, or so much thereof, as may be necessary, be and the same are hereby appropriated out of any funds not otherwise appropriated, to pay miscellaneous claims against the State of Texas as herein enumerated:

To pay Annie Cook, Austin, Texas, for expenditures in Texas extension teaching service—for payment in full of all claims against the State of Texas.....	\$ 2,500.00
To pay De LaVergne Engine Company, Philadelphia, Pa., for refund of overpayment of franchise tax.....	5.00
To pay Simms Oil Company, Dallas, Texas, for refund of overpayment of franchise tax.....	10,556.25

To pay City National Bank, Mineral Wells, Texas, for refund of overpayment of franchise tax.....	50.00
To pay Waples-Platter Company, Fort Worth, Texas, for refund of overpayment of franchise tax.....	30.90
To pay Kelley Petroleum Company, Beverly Hills, Cal., for refund of overpayment of franchise tax.....	174.00
To pay Tibbs Dorsey Manufacturing Company, Oklahoma City, Okla., for refund of overpayment of franchise tax.....	5.00
To pay California Vegetable Union, Los Angeles, Cal., for refund of overpayment of franchise tax.....	35.60
To pay Texas Star Flour Mills, Galveston, Texas, for refund of overpayment of franchise tax.....	201.60
To pay B. & A. Specialty Company, Tulsa, Oklahoma, for refund of overpayment of franchise tax.....	5.00
To pay Eastland, Wichita Falls, & Gulf Railroad Co., Eastland, Texas, for refund of overpayment of franchise tax.....	257.20
To pay Railroad Water and Coal Handling Company, Chicago, Ill., for refund of overpayment of franchise tax.....	5.00
To pay Dixie Motor Coach Company, Dallas, Texas, for refund of overpayment of franchise tax.....	367.45
To pay University Publishing Co., Lincoln, Nebr., for refund of overpayment of franchise tax.....	5.00
To pay The Trust Company of Texas, Houston, Texas, for refund of overpayment of franchise tax.....	45.60
To pay Sumner Sollitt Company, Chicago, Ill., for refund of overpayment of franchise tax.....	85.70
To pay Texsan Service Company, San Antonio, Texas, for refund of overpayment of franchise tax.....	8.38
To pay Clark Dredging Company, Galveston, Texas, for refund of overpayment of franchise tax.....	321.00
To pay The Steel Construction Company, Birmingham, Ala., for refund of overpayment of franchise tax.....	5.00
To pay Olds Motor Works, Lansing, Mich., for refund of overpayment of franchise tax.....	5.00
To pay Worth Mills, Fort Worth, Texas, for refund of overpayment of franchise tax.....	5.00
To pay Argo Royalty Company, Denver, Colorado, for refund of overpayment of franchise tax.....	36.00
To pay Argo Oil Company, Denver, Colorado, for refund of overpayment of franchise tax.....	5.00
To pay The Electric Storage Battery Co., Philadelphia, Pa., for refund of overpayment of franchise tax.....	18.90
To pay Crandall Packing Company, Palmyra, N. Y., for refund of overpayment of franchise tax.....	46.65
To pay Hobbs Tie and Timber Co., St. Louis, Mo., for refund of overpayment of franchise tax.....	17.60
To pay Union Oil Company, Los Angeles, California, for refund of overpayment of franchise tax.....	5.00
To pay Lowe and Campbell Athletic Goods Co., Kansas City, Mo., for refund of overpayment of franchise tax.....	49.70
To pay Roberts Motor Company, Sherman, Texas, for refund of overpayment of franchise tax.....	9.00
To pay Justine Leather Goods Co., Nocona, Texas, for refund of overpayment of franchise tax.....	61.80
To pay Wichita Falls Southern Railroad Co., Wichita Falls, Texas, for refund of overpayment of franchise tax.....	309.06
To pay Missouri, Kansas, Texas Railroad Co., Dallas, Texas, for refund of overpayment of franchise tax.....	541.06
To pay Houston Car Wheel & Machine Co., Houston, Texas, for refund of overpayment of franchise tax.....	269.40
To pay Guadalupe Valley Cotton Mill, Cuero, Texas, for refund of overpayment of franchise tax.....	77.80
To pay American Desk Manufacturing Co., Temple, Texas for refund of overpayment of franchise tax.....	76.20

To pay San Antonio, Uvalde & Gulf Railroad Company, for refund of overpayment of franchise tax	60.00
To pay St. Louis, Brownsville & Mexico Railroad Co. for refund of overpayment of franchise tax	60.00
To pay Shreveport, Houston & Gulf Railroad Co., Manning, Texas, for refund of overpayment of franchise tax	30.00
To pay Eagle Pass & Piedras Negras Bridge Co., Eagle Pass, Texas, for refund of overpayment of franchise tax	56.88
To pay Texas Properties Corporation, Dallas, Texas, for refund of overpayment of franchise tax	661.21
To pay Mayfield Company, Tyler, Texas, for refund of overpayment of franchise tax	613.80
To pay Acme Salvage Company, Dallas, Texas, for refund of overpayment of franchise tax	15.20
To pay Cooper's, Inc., Kenosha, Wis., for refund of overpayment of franchise tax	13.00
To pay Southland Ice Company, Dallas, Texas, for refund of overpayment of franchise tax	18.30
To pay Double Seal Ring Company, Fort Worth, Texas, for refund of overpayment of franchise tax	160.60
To pay DeLeon Peanut Company, Comanche, Texas, for refund of overpayment of franchise tax	947.47
To pay Beaumont Development Corporation, Beaumont, Texas, for refund of overpayment of franchise tax	18.60
To pay Texas Electric Service Co., Fort Worth, Texas, for refund of overpayment of franchise tax	71.75
To pay Weatherford, Mineral Wells & Northwestern Railway Company, for refund of overpayment of franchise tax	1,245.50
To pay Shell Pipe Line Company, Dallas, Texas, for refund of overpayment of franchise tax	4,509.30
To pay Phillips Petroleum Company, Dover, Del., for refund of overpayment of filing fees	2,440.00
To pay Dayton Scale Company, Dayton, Ohio, for refund of overpayment of filing fees	50.00
To pay Piggly Wiggly Company, Cincinnati, Ohio, for refund of overpayment of filing fees	50.00
To pay National Cotton Seed Products Corporation, Memphis, Tennessee, for refund of overpayment of filing fees	50.00
To pay S. T. Bowser Co., Inc., Fort Wayne, Indiana, for refund of overpayment of filing fees	50.00
To pay Rosenbaum Grain Corporation, Chicago, Ill., for refund of overpayment of filing fees	50.00
To pay Fleischman Yeast Company, New York, for refund of overpayment of filing fees	100.00
To pay Frick Reed Supply Company, Tulsa, Okla., for refund of overpayment of filing fees	50.00
To pay Eureka Vacuum Cleaner Co., Detroit, Mich., for refund of overpayment of filing fees	50.00
To pay Noble Oil & Gas Company, Tulsa, Okla., for refund of overpayment of filing fees	100.00
To pay Louisiana Oil Refining Corporation, Shreveport, for refund of overpayment of filing fees	50.00
To pay Certain-Teed Products Corporation, New York, for refund of overpayment of filing fees	50.00
To pay Southern United Ice Company, Kansas City, Mo., for refund of overpayment of filing fees	140.00
To pay Standard Sanitary Manufacturing Co., Pittsburgh, Pa., for refund of overpayment of filing fees	5,050.00
To pay Arkansas Natural Gas Corporation, Shreveport, La., for refund of overpayment of filing fees	2,550.00
To pay Continental Gin Company, Birmingham, Ala., for refund of overpayment of filing fees	4,090.00

To pay Shell Pipe Line Corporation, Dallas, Texas, for refund of overpayment of filing fees	50.00
To pay Shell Petroleum Corporation, Dallas, Texas, for refund of overpayment of filing fees	2,500.00
To pay Bessemer Gas Engine Co., Mt. Vernon, Ohio, for refund of overpayment of filing fees	580.00
To pay Western Electric Co., New York, for refund of overpayment of filing fees	50.00
To pay United States Gypsum Co., Chicago, Ill., for refund of overpayment of filing fees	150.00
To pay Federal Compress & Warehouse Co., Memphis, Tenn., for refund of overpayment of filing fees	50.00
To pay American Book Company, New York, for refund of overpayment of filing fees	2,500.00
To pay Pacific Chemical Company, Los Angeles, Cal., for refund of overpayment of filing fees	50.00
To pay Investors Mortgage Security Company, Edinburg, Scotland, for refund of overpayment of filing fees	1,140.00
To pay The McMillan Company, Dallas, Texas, for refund of overpayment of filing fees	1,190.00
To pay Transcontinental Oil & Gas Co., Tulsa, Okla., for refund of overpayment of filing fees	2,500.00
To pay Corporation Trust Company, Dallas, Texas, for refund of overpayment of filing fees	50.00
To pay Mid Kansas Oil & Gas Co., Tulsa, Okla., for refund of overpayment of filing fees	2,040.00
To pay U. S. Rubber Company, New York, for refund of overpayment of filing fees	2,500.00
To pay Pittsburg Plate Glass Co., Pittsburg, Pa., for refund of overpayment of filing fees	2,500.00
To pay Congoleum Nairn, Inc., New York, for refund of overpayment of filing fees	5,880.00
To pay United Cigar Stores, Inc., New Jersey, for refund of overpayment of filing fees	2,440.00
To pay E. I. DuPont de Nemours & Co., Delaware, for refund of overpayment of filing fees	2,600.00
To pay Darby Petroleum Corporation, Tulsa, Okla., for refund of overpayment of filing fees	2,550.00
To pay Benjamin Moore & Co., New Jersey, for refund of overpayment of filing fees	1,240.00
To pay Oil Well Supply Co., Pittsburg, Pa., for refund of overpayment of filing fees	1,690.00
To pay Protective Mutual Benefit Association, Corpus Christi, Texas, for refund of double payment of filing fees	21.00
To pay expense accounts of employees of the Railroad Commission for the month of August, 1931, to be paid out of the Oil and Gas Fund	746.89
To pay E. F. Elkins, Austin, Texas, for premium on bond required by law	95.02
To pay LeRoy McGlaun, Austin, Texas, for premium on bond required by law	36.15
To pay H. N. Ferguson and J. B. Ferguson, Wichita Falls, for refund of overpayment of inheritance tax	8,176.66
To pay J. S. Rice estate, Houston, Texas, for refund of overpayment of inheritance tax	18,863.19
To pay Minnie Phaup estate, her interest in estate of Susan Bowles deposited in State Treasury	272.69
To pay G. C. Shuford, Austin, Texas, for refund of occupation taxes collected under invalid law	33.12
To pay El Paso Credit Company, El Paso, Texas, for refund of occupation taxes collected under invalid law	150.00
To pay Rio Grande Credit Company, El Paso, Texas, for refund of occupation taxes collected under invalid law	150.00

To pay Industrial Finance Company, Amarillo, Texas, for refund of occupation tax collected under invalid law	150.00
To pay Amarillo Finance Company, Amarillo, Texas, for refund of occupation tax collected under invalid law	150.00
To pay Peerless Wayne Machine Company, New York, for refund of occupation tax collected under invalid law	3,414.50
To pay Mrs. W. D. McCarty, Grapeland, Texas, for refund of ad valorem taxes, paid through error	9.25
To pay Williamson County, Texas, for refund of ad valorem taxes paid Sutton County on school land	608.08
To pay R. A. Hudson, Newark, Texas, for refund of double payment of ad valorem taxes	128.48
To pay John Meier, Seadrift, Texas, for refund of ad valorem taxes paid through error	8.25
To pay Swift & Company, Corpus Christi, Texas, for refund of ad valorem taxes paid through error	60.00
To pay C. A. Vogt, Schulenburg, Texas, for refund of double payment of ad valorem taxes	140.19
To pay Cal Taylor, Waco, Texas, for refund of ad valorem tax paid through error	1.50
To pay W. L. Ellwood, Lubbock, Texas, for refund of ad valorem taxes paid through error	792.18
To pay Texas Utilities Company, Plainview, Texas, for account against West Texas State Teachers' College	215.29
To pay E. L. Steck Company, Austin, Texas, for account against Treasury Department	107.74
To pay South Texas Implement Company, Houston, Texas, for account against San Jacinto State Park	96.32
To pay State Printing Company, Taylor, Texas, for account against Texas State Parks Board	16.50
To pay Eagle Printing Company, Bryan, Texas, for printing 1928 annual report of State Mining Board	558.00
To pay International Great Northern Railroad Company, balance due on freight bill No. 5119, dated August 7, 1926, on car shipment from Austin to Lake Wichita, Texas	181.67
To pay International Great Northern Railroad Company, freight and demurrage bill No. B-73, transporting cowboy statue ..	88.00
To pay St. Louis, Brownsville and Mexico Railway Company, for balance of freight charges on shipment of cotton seed and water tanks from Clemons State Farm, Brazoria, Texas, to Eastham State Farm, Weldon, Texas	80.42
To pay Armstrong Packing Company, Dallas, Texas, for account against Texas Prison System	1,315.47
To pay Lipscomb Motor Company, Trinity, Texas, for account against Texas Prison System	293.27
To pay The Murray Company, Dallas, Texas, for account against Texas Prison System	54.14
To pay Oliver Farm Equipment Sales Company, Dallas, Texas, for account against Texas Prison System	156.00
To pay Imperial Garage, Sugarland, Texas, for account against Texas Prison System	5.50
To pay Standard Brands Incorporated, Houston, Texas, for account against Texas Prison System	9.90
To pay Woodson Lumber Company, Madisonville, Texas, for account against Texas Prison System	98.51
To pay Ernst and Ernst, Houston, Texas, for account against Texas Prison System	397.39
To pay Foster-Martin Seed Company, Houston, Texas, for account against Texas Prison System	84.00
To pay Griffith Drug Company, Austin, Texas, for account against Texas Prison System	69.04
To pay Gullett Gin Company, Amite, Louisiana, for account against Texas Prison System	166.23

To pay R. M. F. Motor Company, Freeport, Texas, for account against Texas Prison System	10.75
To pay Richmond Motor Company, Richmond, Texas, for account against Texas Prison System	4.13
To pay Texas Poultry and Feed Company, Huntsville, Texas, for account against Texas Prison System	98.00
To pay Houston Service Parts Company, Houston, Texas, for account against Texas Prison System	29.73
To pay Southwest Drug Corporation, Houston, Texas, for account against Texas Prison System	27.45
To pay Judge S. A. McCall, Conroe, Texas, for salary as District Judge from January 1, 1929, to May 5, 1929	1,736.08
To pay O. C. Mulkey, Commerce, Texas, for services and expenses as Associate Justice of the Supreme Court	73.07
To pay Judge Allen Sandford, Waco, Texas, for services as Associate Justice of the Supreme Court	136.90
To pay Judge E. M. Dodson, Marlin, Texas, for expenses incurred while holding court outside of his district	39.53
To pay Judge S. W. Dean, Navasota, Texas, for expenses incurred while holding court outside of his district	23.75
To pay Judge John Watson, Cameron, Texas, for expenses incurred while holding court outside of his district	16.80
To pay Judge J. M. Caldwell, Midland, Texas, balance due for services rendered Court of Civil Appeals, Eighth District, El Paso, as Special Associate Justice	963.62
To pay Judge Gowan Jones, El Paso, Texas, balance due for services rendered Court of Civil Appeals, Eighth District, El Paso, as Special Associate Justice	977.31
To pay J. R. French, Jr., Daingerfield, Texas, for services rendered as District Attorney in felony cases in District Court of Titus County	60.00
To pay C. O. Moore, Austin, Texas, for expenses going to and returning from Montgomery, Alabama, to apprehend Moody Young	124.50
To pay C. O. Moore, Austin, Texas, for expenses going to and returning from Durant, Oklahoma, to apprehend J. D. Dyer	89.50
To pay The Texas Company, for judgment rendered in Cause No. 40901 in the District Courts of Travis County, styled State of Texas vs. R. L. Blaffer, et al.	6,681.05
To pay Mrs. Henrietta M. King Estate, for refund of royalties collected by State by reason of permit No. 6492 illegally issued by the General Land Office on 1260 acres of land in Kleberg County	4,453.09
To pay the Humble Oil and Refining Company, Houston, for refund of rental paid to the State by reason of permit No. 6492 illegally issued by the General Land Office on 160 acres of land in Kleberg County	8,529.00
To pay The Westex Oil Company, Amarillo, Texas, for refund of overpayment of gross production tax	7,243.84
To pay Twin Six Oil Company, Amarillo, Texas, for refund of overpayment of gross production tax	173.16
To pay South Hutchison Oil Company, Amarillo, Texas, for refund of overpayment of gross production tax	96.67
To pay Caldwell Guadalupe Pickup Station, Luling, Texas, refund of over-payment of occupation tax	1,568.43
To pay Texas Electric Railway Company, Dallas, Texas, refund of over-payment of gross receipts tax	26,470.95
To pay Malone Filling Station, Malone, Texas, for refund of overpayment of occupation tax on gasoline	1,493.62
To pay Dr. E. Gregory, Anahuac, Texas, for refund of double payment of occupation tax on bowling alley	100.00
To pay Mrs. M. A. Clark, Cleburne, Texas, for refund of over-payment of occupation tax on water works	40.00

To pay Midwest Exploration Company, Denver, Colo., for refund of double payment of beginners tax	50.00
To pay Hirt-MacDermott & Company, Fort Worth, Texas, for refund of gasoline tax that was paid on 1,857 gallons of gasoline for the month of November, 1930, to the State Comptroller of Public Accounts for which a credit is due as shown by audit of Comptroller	74.27
To pay Adam Wroblewski, Fort Worth, Texas, for refund of gross utilities tax collected through error	6.37
To pay American Gas Company, San Antonio, Texas, for refund of overpayment of franchise tax	85.40
To pay Pan American Cattle Company, for refund of overpayment of franchise tax	13.20
To pay First State Bank in Caldwell, Caldwell, Texas, for refund of overpayment of franchise tax	3.00
To refund Agents License Fees collected by the Department of Insurance for the years 1923 and 1924, collection of said Agents License Fees held to have been collected illegally by the Supreme Court of Texas in the case of Franklin Fire Insurance Company, et al., vs. Hall, 247 S. W. 822	18,696.50
To pay Merchants Holding Company, formerly Merchants Transfer Company of San Antonio for refund of motor bus seat fees, erroneously collected by the State Highway Department according to holding in case of Campbell vs. Good in which the Supreme Court denied writ of error (to be paid from State Highway Fund)	3,510.00
To pay Laredo Bridge Company, Laredo, Texas, for refund of overpayment of franchise tax	85.80
Total	\$196,433.97

Sec. 2. Provided that the Comptroller of the State of Texas is hereby authorized to issue warrants on the State Treasury in favor of each of the persons, firms or corporations in the amount or amounts herein above set out opposite their respective names, upon application therefor signed by the person, firm or corporation entitled to receive same, to which application there shall be attached a certificate from the State Auditor certifying that he has audited said claim or claims and approves the payment thereof; and provided further, accompanying said application of said person, firm or corporation there shall be also filed an affidavit by such person or firm and by some officer of such corporation, authorized to affix the seal thereof to an affidavit, affirming that no part of said claim or any other thing of value has been paid or agreed to be paid directly or indirectly to any person whomsoever for presenting said claim to the Legislature and/or receive the warrant therefor from the Comptroller; provided further that said claimant shall have furnished to the State Auditor in connection with the above required audit such affidavit or documentary evidence as shall be required by said State Auditor for his approval; provided further that where any money hereinabove appropriated to pay claims of persons or firms a refund of moneys collected and deposited to a special account of a particular department, the amount hereinabove appropriated to said claimant shall be paid out of the respective fund to which the same was originally deposited if said fund is still in existence upon the effective date hereof.

Sec. 3. The fact that many of the items of this bill should be paid as promptly as possible creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be and the same is hereby suspended and that this Act shall take effect and be in force from and after its passage and it is so enacted.